



plaintiffs, the parties anticipate that their claims will also be heard in arbitration.

## **II. REQUEST FOR STAY**

In the hope of resolving all claims in this litigation and in the pending arbitration, the parties request a stay of all decisions and deadlines in this action for 50 days which would be until August 9, 2013. This request is made to conserve resources that may be used toward settlement. The parties are presenting this same request to the assigned arbitrator.

The parties believe it to be an appropriate time to conduct mediation, even though a number of rulings remain outstanding. In fact, the parties believe rulings on these pending motions (including the motions to dismiss pending in this case and motions to resolve the propriety of a class and/or collective arbitration pending in the arbitration) could hinder settlement negotiations and make the case more difficult to resolve.

Therefore, the parties request this case be stayed until August 9, 2013. The parties make this request with a view toward facilitating settlement discussions and avoiding potentially unnecessary expenses. During the stay, the parties will engage in certain limited discovery for the purpose of assisting in the mediation process. **Then, all parties to this case and to the arbitration will mediate this case during the 50 day stay.**<sup>1</sup>

Once the parties have completed the mediation, the parties will promptly advise the Court of the outcome. If mediation is unsuccessful, the parties—only to the extent necessary—will request a new Scheduling Order from the Court.

This request is not made for the purpose of delay, and the parties assert that no prejudice will be caused due to this stay. Accordingly, the parties respectfully request their attached proposed order be signed by the Court, that this case be stayed for 50 days following the entry of

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<sup>1</sup> The parties are in the process of conferring regarding a potential mediator.

that order, and for such other and further relief, at law or in equity, to which they may be entitled.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

On June 20<sup>th</sup>, 2013, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the Court's Electronic Case Filing System. I hereby certify that I have served all counsel of record electronically under Fed. R. Civ. P. 5(b)(2)(D), or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Roger Albright

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